

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

ROBERT JOHNSON, as personal)
representative for the Estate of)
IRENA JOHNSON,)
)
Plaintiff,)
)
v.) **CASE NO.: 2:07-CV-1068-MHT**
)
DENITA COLVIN; WILLIE EVA)
BALDWYN, et al.,)
)
Defendants.)

DEFENDANT WILLIE EVA BALDWIN'S FIRST AMENDED ANSWER

COMES NOW, Defendant Willie Eva Baldwin ("Baldwin") in the above-styled cause, and amends her Answer to the Plaintiff's Second Amended Complaint and states as follows:

1. This Defendant reasserts and incorporates herein by reference her previous responses and affirmative defenses plead in her previous answer to Plaintiff's original complaint, First Amended Complaint and Second Amended Complaint.
2. This Defendant asserts the following additional affirmative defenses of release, pro-tanto release, accord and satisfaction, set-off and/or credit for any monies paid to Plaintiff in way of settlement or for any other reason.
3. This Defendant pleads all other affirmative defenses in bar or abatement of the claims asserted against her in the complaint.

/s/ David Henderson

DAVID W. HENDERSON (ASB-4048-D57H)
RANDALL MORGAN (ASB-8650-R70R)
Attorneys for Defendant Willie Eva Baldwin

OF COUNSEL:

HILL, HILL, CARTER, FRANCO,
COLE & BLACK, P.C.
425 South Perry Street
P.O. Box 116
Montgomery, AL 36101-0116
(334) 834-7600

CERTIFICATE OF SERVICE

I hereby certify that I have this 15th day of July, 2008 electronically filed the foregoing with the Clerk of the Court for the United States District Court, using the CM/ECF system which will send notification of such filing to the following:

Zachary T. Collins, Esq.
318 North Decatur Street
Montgomery, AL 36104

James A. Rives, Esq.
William Christopher Waller, Jr., Esq.
Ball Ball Matthews & Novak PA
P.O. Box 2148
Montgomery, AL 36102-2148

J. Lenn Ryals, Esq.
Ryals, Plummer, Donaldson,
Agricola & Smith, P.C.
60 Commerce Street, Ste. 1400
Montgomery, AL 36104

/s/ David Henderson

OF COUNSEL